

REMARKS

In the Office Action mailed 2 October 2006, the Examiner rejected claims 1 - 63 under §103 as being obvious over Kim (US7076277) in view of Holmes (US6889065). In response, the applicant offers the following remarks.

According to the information printed on the face of Kim, Kim was filed in the U.S. on 25 July 2003, and claims priority to a Korean application filed 15 May 2003. Kim was issued as Patent No. 7,076,277 on 11 July 2006. According to the §1.131 declaration submitted herewith, the inventor of the present application conceived of the invention claimed in the present application not later than on or about 19 April 2003. The application was pursued with reasonable diligence through filing of the application on 16 December 2003. Therefore, the inventor of the present application conceived of his invention before the §102(e) effective filing date of Kim, and pursued the idea with reasonable diligence until the constructive reduction to practice associated with the filing date of 16 December 2003. Under §102(e) and MPEP §715, the Kim patent cannot qualify as prior art. It necessarily follows that all rejections based on Kim are therefore improper, and must be withdrawn.

In light of the enclosed §1.131 declaration and the above remarks, Applicant submits that claims 1 – 63 stand in condition for allowance. Therefore, Applicant requests that the Examiner reconsider all rejections and issue a notice of allowance. Should any issues remain unresolved, Applicant requests that the Examiner call the undersigned.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.



Jennifer K. Stewart
Registration No.: 53,639
P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-2084

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